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did you know?

A. I don't know.

MR. SIMON: Just a question: These areas were covered when you were not personally present. If you want to go over them again, be my guest.

MR. KESHAVARZ: Okay.

Q. There's another dealership -- Planet Auto, I think?

A. Planet Motors.

Q. Planet Motors. They're not my client. I don't have a case against them. But I'm just wondering: Did Planet Motors have their accounts at Chase and TD Bank?

A. No.

Q. Do you know where they have their accounts?

A. No.

Q. Were you involved in Planet Motors at all?

A. No, not at all.

Q. Was your sister involved with Planet Motors?

A. She worked there for a little bit

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and left.

Q. Do any other family members work at Planet?

A. Overall?

Q. Yes.

A. I had my deceased brother that worked there for a little bit.

Q. I'm sorry, I apologize. Anyone else?

A. No.

Q. The two floor planners, Palisades and Next Gear; do you know which bank the money was transferred to and from on their end, or do you not know?

A. I'm sorry, can you repeat that?

Q. Sure. So there were automatic payments going between New York Motor Group's account and the floor planners?

A. Yes.

Q. Do you know in what banks the monies were being deposited on behalf of the floor planners?

A. One was using Chase and the other started using TD. Palisades started using TD,

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if I'm not mistaken.

Q. Did Palisades use another bank, other than TD, for a period of time when they were doing business with New York Motor Group, if you know?

A. They were using Chase. And then they started using TD once we opened TD accounts.

Q. There were some discussions before about arrests, and you said there were personal issues. I don't want to go into personal issues. If there's DWIs or family issues, I don't care to go into that. But I'm just wondering aside from that type of thing, were there arrests for allegations of forgery or theft or anything like that?

A. No.

Q. Other than personal issues like DWIs or family issues, for what other reasons were you arrested?

A. I wasn't.

MR. SIMON: I object to the form of the question.

Q. So the only issues are personal

issues like that?
A. It's just -- no. There's never.
Q. No arrests?
A. Like related like that, no.
Q. No arrests other than -- if any -- a personal matter like a DWI or a domestic issue; right?
A. Correct.
Q. That's all I need to know. I don't need to go into the personal issues, it's not relevant.
There was a document with the name "Planet Auto" before that was handwritten in your handwriting; remember?
A. Correct.
Q. How often did you write in the name "Planet Auto" on a document? "Planet Motors," excuse me.
A. I don't remember how many times.
Q. Was it fairly regular?
A. It would be here and there. It wasn't a usual thing.
Q. Maybe once a week?
A. I don't remember, but it was few

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times.

Q. For the entire time that you were there?

A. Yes.

Q. The other thing about deposits at banks; what bank did you have during the time that you worked at New York Motor Group?

A. I had an account with Chase.

Q. And that was under your name?

A. Yes.

Q. Did your father give cash that you put into the Chase account?

A. At times when I needed, if -- when I asked him.

Q. And roughly a hundred dollars here, two hundred dollars there, that type of thing?

A. Yes. It wasn't anything crazy.

Q. Nothing over a thousand dollars?

A. Oh, no, no -- I wish.

Q. Did he deposit any checks from him or the dealerships on a regular basis?

A. From the dealership to me?

Q. Yes.

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A. No, never.

Q. Did he ever write checks that you had deposited into your own account?

A. His personal check. I think it was once that that happened.

Q. Roughly over $10,000?

A. No, no. Probably two hundred dollars, I believe.

Q. Did he ever pay any major bills that you might have, like cars?

A. Yeah.

Q. Did he purchase a car for you?

A. No. I used his car or my mother's car.

Q. Anything else? Anything major that he paid, like giving you a car to use or anything significant?

A. No. I didn't have much. I lived at home, so it was just the car. The phone I paid for -- well, he paid for, because I asked him for money for it.

Q. You told me before about a protest. I think you said that you believed they might have been Bengali?

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A. Yes.

Q. Does that sound right to you?

A. I believe so.

Q. Do you know if there was a protest that Mr. Tuhin was at; do you remember?

A. I'm sorry, can you repeat that?

Q. Do you know if Mr. Tuhin was at that protest?

A. I think he was at one. They came twice. I think he was at one of them -- I think, yeah. And then another, I don't remember the other client, honestly. Maybe if the name comes up, maybe I'll remember it, but right off the top of my head I don't remember it.

Q. So let's talk about the first protest. What happened there?

A. They all came and they were standing outside and they started protesting, "New York Motor Group, fraud, fraud, fraud." They kept saying, "New York Motor Group, fraud," over and over again. I didn't really understand what was going on. I went outside to try to talk to them. They were very rude to me. They told me to go away, and that they were allowed to do this and everything. I went back in. I asked Julio what should I do. He told me this, and what is my next move. He said, "Call the police, because unless they have a permit they're not allowed to protest." I said "Okay."

I called the police. They came. And they were apparently allowed to do it, because it was under a certain number or something like that, and he said, "Just let them go on and do what they have to do, and they'll leave by the end of the day or whenever they leave." So I just let them be.

Q. Did anything else happen at that first protest?

A. I don't remember if it was the first or second, honestly.

Q. All right. We'll talk about the second one in a minute, if you're not sure which protest we're discussing now. But from what you do remember of the first protest, was your father at the first protest?

A. Well, I don't know if it was the

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first or second. But I know that one of them, he stopped by, because he had just purchased a vehicle or something and he came to drop it off, saw what was going on, walked over to them to try to calm them down and try to talk to them. I know that he did calm them down, because the protesters -- one of them -- said, "All right, let's walk over to 7-Eleven and talk." So they walked over there and they talked and they seemed to come to an understanding. I believe that was the second one that that happened.

Q. By "they," you mean your father?

A. And the protester.

Q. Was there more than one protester that went to the 7-Eleven with your father, if you know?

A. I don't know. I wasn't present. He just told me that's what happened.

Q. Do you know if Mr. Tuhin was one of the people that was speaking with your father?

A. Yes.

Q. Did you hear any of that

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conversation yourself?

A. No.

Q. Did your father tell you about that conversation?

A. No. He just said that they came to an understanding, and he shouldn't bother us anymore.

Q. But he didn't explain further?

A. No.

Q. There's an allegation somewhere in one of the complaints about a hose being used on the protesters. Is there a hose at New York Motor Group?

A. Yes. I have Juan, he cleans the cars outside. But I know for a fact that none of them would spray down anyone with the hose.

Q. His name is Juan?

A. Juan.

Q. Do you know his last name?

A. No. He never told me.

Q. The protesters were on the public sidewalk?

A. Yes.

Q. Would the hose be something that

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could be used to spray at a distance onto the public sidewalk?

A. No. It only sprayed onto the vehicles on the dealership, never outside of the premises of the dealership.

Q. So it doesn't have the physical capacity to spray onto the sidewalk? Or do you know?

A. I don't think so.

Q. Do you know if there are extensions to the hose?

A. He used one extension to get to the vehicles in the front. But it didn't reach all the way to the front, to get to the sidewalk.

Q. So as far as you were aware, was there any water thrown on the protesters at all?

A. No.

Q. Did you see the protesters the whole time they were there?

A. Yes.

Q. On both occasions?

A. Yes.

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Q. You saw them the whole time they were there?

A. Yes.

Q. About how long were they there the first time?

A. A few hours.

Q. And the second time?

A. Probably an hour or two. And then my father came and settled everything.

Q. There's also another allegation in one of the complaints about a car going up on the sidewalk towards the protesters, physically towards the protesters. Did you see anything like that?

A. Absolutely not.

Q. Did anyone tell you about anything like that?

A. No. Like I said, my dad came -- pulled into the dealership and walked over to them to talk to them.

Q. What vehicle, if you remember, was your father driving when he pulled up to the dealership?

A. I don't recall.

MR. SIMON: Note my objection to the form of the question. I think she said "pulled into" the dealership. You said "up to" the dealership.

Q. In any case, if you don't understand one of my questions, will you please ask me to rephrase?

A. Okay.

MR. SIMON: I just object to the form of the question.

MR. KESHAVARZ: If she doesn't understand the question --

MR. SIMON: I just objected to the form of the question. You can answer.

Q. Was he pulling in or up?

A. He was pulling into the dealership.

Q. How close to the sidewalk was he, if you know?

A. Where the protesters were?

Q. Where was the car?

A. Oh, it was completely on the other side. They were in the front. My dad pulled in from the side.

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Q. Do you remember what type of vehicle your father was driving at the time of the protests?

A. No.

Q. Does he change the vehicles he drives?

A. Yes, all the time.

Q. Because he drives vehicles that are on his lot; is that why?

A. Yes. He has a dealer plate.

Q. So what does that mean?

A. A dealer plate is used to put on vehicles, to get them from point A to point B.

Q. So does that mean when there are different inventory vehicles on the lot, he would just drive them around for his own use?

A. Well, he drove different vehicles also to check the vehicles, to make sure that there's nothing wrong with them. He drives them home, makes sure that they drive okay, there's nothing wrong with the vehicle, brings it back, and changes his vehicles every day.

Q. So the vehicles he would use were the vehicles on the lot that were for sale?

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A. Yes.

Q. Did you open the mail while you worked at New York Motor Group?

A. No.

Q. Do you know who did?

A. I had an accountant that opened up the mail. There was like -- there was a few since I've been there. I don't remember all their names.

Q. Do you know if there were complaints from the Department of Consumer Affairs that came into the dealership?

A. Yes.

Q. Do you know how many?

A. I don't know.

Q. More than ten?

A. I don't know.

Q. More than twenty?

A. No, I don't think so.

Q. You think somewhere between ten and twenty?

A. Yes.

Q. Did you see the physical complaints as they came in?

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A. Not all of them. The ones that I did see, I gave to Julio to handle, because he knew the issues.

Q. Generally was there a common complaint that consumers had or that DCA made; that consumers were promised that the interest rate on a car loan would go down after a number of months? Was that a common type of complaint?

A. The last few months, yes, I did see a lot of those complaints.

Q. Before then?

A. Not really. It happened once, maybe, or something. But the last few months I was there, that was a very common -- that was honestly I think the only complaint; that their payment and interest rate was supposed to drop. And the first time I had asked Julio if that was really true, he did show me an example and he said, "Yes, it is possible." So I believed him.

Q. Was another common complaint that people made downpayments that were not reflected on the retail installment sales contract?

A. That didn't show on the retail, no -- no, because all the downpayments were written on the bill of sale and everything that the client received.

Q. You said that you would write the checks for refunds if the consumers returned vehicles; is that right?

A. Yes.

Q. How often did you do that?

A. I think it was once or twice. But mostly the refund is if they leave a small deposit to hold the vehicle and they come back and change their mind; that they don't want the vehicle. Those are the refunds that I would write.

Q. Let's talk about people who try to return the car prior to the deal being funded.

A. Yes, that happened twice.

Q. What does that mean?

A. That means the customer bought the vehicle and before the vehicle was funded through the bank, like, before the loan was permanently theirs, because we have I think a

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two-day or something until the vehicle completely goes through the loan and everything -- so I know this one client. The next day, he didn't want the vehicle, brought it back and said, "No, my wife didn't want it" and this and that. And so we took back the vehicle and gave him his refund and everything.

Q. What do you mean, there's a two-day thing before the loan goes through?

A. Well, it takes two days for the loan -- for the bank to fund the deal.

Q. Between what two points? Between when you give them all the signed paperwork?

A. We give them all the paperwork, this is what I know -- I've never done it -- but to my acknowledgment, the bank requires paperwork from the dealership. The dealership sends it to the bank. The bank reviews it and funds the deal. Yes, I'm pretty sure that's how it works.

Q. And there's a two-day gap, or so?

A. Don't quote me on that. I don't know how long it takes, but I know there is a process before the deal actually gets funded.

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Q. From New York Motor Group's point of view, if you know, the consumer can try to return the vehicle at any point prior to the deal being funded, or do you know?

A. I don't know.

Q. Did Mr. Tuhin try to go back to the dealership to return the vehicle?

A. Yes. But he had the vehicle for over a month.

Q. Do you know if he tried to return the vehicle before that?

A. No.

Q. How many times do you remember seeing Mr. Tuhin?

MR. SIMON: Objection to the form of the question. Do you mean before the transaction?

Q. Do you understand my question?

A. You're saying -- are you asking if I've seen him before he returned the vehicle or after he returned the vehicle?

Q. I'm glad you asked me to clarify. Please always do that.

A. Okay.

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the vehicle. We told him, "Sir, we can't do anything for you, because you've already made payments on the vehicle." And he was just really upset, and he came back a second time asking for the same thing and I don't remember exactly what happened, but I know that, you know, we couldn't do anything for him and he was really upset. And that's when he came back with the protests.

Q. When you say he was really upset, what do you mean?

A. I know at one point he was crying.

Q. Was he crying the first time or the second time, or do you remember?

A. I don't remember, honestly. But I know at one point he was crying.

Q. What did he tell you that made you think that he was crying? I mean, what else did he say specifically?

A. He was just saying that he couldn't afford it -- that he couldn't afford the vehicle, he couldn't afford the payments, he just couldn't afford it and he was getting really upset about it, that he couldn't afford